



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Legislative Analysis**

**Internal Management and Fiscal  
Responsibility Committee**

Thursday, September 15, 2005

2:00 PM

Commission Chamber

Charles Anderson, CPA  
Commission Auditor

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Miami, Florida 33128  
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**Miami-Dade County Board of County Commissioners  
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**Legislative Analysis**

**Internal Management and Fiscal Responsibility Committee  
Meeting Agenda  
September 15, 2005**

Written analyses for the below listed items are attached for your consideration in this Legislative Analysis.

**Item Number(s)**

2(B)	2(M)
3(A)(4)	

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Esq., Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:  
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## LEGISLATIVE ANALYSIS

### *RESOLUTION RELATING TO RECOUPING THE COSTS OF TRAINING EMPLOYEES WHO LEAVE COUNTY EMPLOYMENT.*

Commissioner Barbara Carey-Shuler, Ed.D.

#### **I. SUMMARY**

This Resolution directs the County Manager to develop a procedure for the County to be reimbursed for training costs from employees who voluntarily terminate employment with the County and to negotiate for the inclusion of such a procedure in the County's collective bargaining agreements.

#### **II. PRESENT SITUATION**

Miami-Dade County employees have the opportunity to apply for various types of training upon the department director's approval. The training costs are paid by each department's individual budget. The purpose of training employees is to enhance their skills, improve their performance, prepare them for increased responsibilities and to provide better service to the residents of Miami-Dade County. Presently, there is no obligation to remain employed with the County after receiving training.

Pursuant to Administrative Order No. 7-4 approved by the Board of County Commissioners on August 27, 1963, County employees are eligible for the Tuition Refund Program. This program entitles employees enrolled in approved coursework from accredited educational institutions, reimbursement for 50% of their tuition costs.

Currently, all employees receiving tuition refunds are obligated to remain employed with the County for a minimum of one (1) year following completion of the coursework. Employees voluntarily terminating their employment with the County prior to fulfilling the one (1) year obligation will reimburse the County for refunds received during the final year of employment through payroll deductions from their final payroll check. If the final paycheck is insufficient, the employee is still responsible for reimbursing the County.

#### **III. POLICY IMPLICATIONS**

This Resolution initiates the development of a plan to minimize the impact caused by County employees voluntarily terminating employment shortly after receiving costly training.

#### **IV. ECONOMIC IMPACT**

None.

**V. COMMENTS AND QUESTIONS**

- Will this procedure specify what type of training will have to be reimbursed?
- Will this procedure also pertain to County mandated training? (i.e. ethics training, customer service related training etc.)
- Will there be exceptions on a case-by-case basis for employees who although voluntarily terminate employment have a good reason? (i.e. illness of a family member, relocation of a spouse etc.)

## LEGISLATIVE ANALYSIS

*ORDINANCE RELATING TO RULES OF PROCEDURE OF THE COUNTY COMMISSION; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO ELIMINATE ROAD CLOSINGS FROM LIST OF ENUMERATED EXCEPTIONS TO COMMITTEE REQUIREMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE*

Commissioner Natacha Seijas

### I. SUMMARY

The ordinance deletes road closings from the recently adopted list of agenda items that do not require consideration by a committee prior to consideration by the Board.

### II. PRESENT SITUATION

Rule 4.01(i) provides that no item can be considered by the Board unless forwarded by a committee. Rule 4.01(j) provides exceptions to the committee requirement.

The exceptions to the committee requirement previously included only items placed on the BCC agenda by the Chairperson of the Board. In 2003, the exceptions were amended in Ordinance 03-43 to provide for direct BCC consideration of quasi-judicial items and special taxing districts. In March 2005, the exceptions were expanded in Ordinance 05-50 to include several items that shall be heard directly by the Board, specifically: ordinances for first reading, consent agenda items, district office fund allocations, special presentations, **road closings**, road codesignations, citizens' presentations, bid protests, settlements and resolutions expressing intent.

The petition for a road closing currently requires a landowner to obtain the signatures of all of the abutting landowners.

### III. POLICY CHANGE AND IMPLICATION

The ordinance deletes road closings from the recently adopted list of agenda items that do not require consideration by a committee prior to consideration by the Board. Road closings must be considered by a committee prior to consideration by the Board, as they were earlier this year. Otherwise, Rule 4.01(j) retains all the other exceptions from the committee requirement for agenda items.

### IV. ECONOMIC IMPACT

None.

### V. COMMENTS AND QUESTIONS

None.

## LEGISLATIVE ANALYSIS

*RESOLUTION DECLARING VARIOUS COUNTY-OWNED PROPERTIES SURPLUS;  
AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER;  
AUTHORIZING THE COUNTY MANAGER TO TAKE ALL ACTIONS NECESSARY TO  
ACCOMPLISH THE SALE OF SAID PROPERTIES; AND AUTHORIZING  
EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE*

General Services Administration Department

### I. SUMMARY

The resolution declares seven County-owned properties as surplus, and authorizes the sale of these properties by competitive bid for a minimum of the current assessed value. The County acquired these seven properties by Tax Deed for non-payment of taxes. The Miami-Dade Housing Agency Infill Housing Advisory Committee determined that these properties are not suitable for affordable housing development, and no other County agency expressed an interest.

### II. PRESENT SITUATION

A tax deed sale occurs after an owner of a tax certificate applies to the Tax Collector for a tax deed after the tax certificate has been held for the statutory period (between 2 and 7 years). Properties with County-held tax certificates, for which no bids are received at the auction, are placed on a "Lands Available for Taxes" list. After 90 days, anyone can purchase the property for the base bid, plus fees and interest. Three years after the Lands Available for Taxes are offered for public sale, the property shall escheat to the County.

These properties are then available for infill housing, governmental use, or sale by the County. In Miami-Dade County, the Housing Agency Infill Housing Advisory Committee reviews the properties to determine if they are suitable for infill or affordable housing in their current status. If not, GSA circulates these "excess" properties to other County departments for interest. If no department expresses an interest, these properties are reviewed by the Planning Advisory Board for recommendation to the Commission for sale as "surplus" property.

The sale of surplus property is triggered by a person expressing an interest in buying it, typically an adjacent land-owner or investor. If the property is assessed at less than \$15,000 and is unbuildable, the County can negotiate directly with an interested adjacent land-owner; otherwise, the sale must be by competitive bid. Information on the sale of these surplus properties will be posted on the County's website, and all bidders must turn in their sealed bid to the Clerk of the Board to be considered.

Upon completion of the sale, the County then issues to the buyer a County Deed, which conveys all the interest of the County in the property. A County Deed does not warrant the title to the property, so typically, a buyer would then file suit to quiet title, in order to get marketable title to the property.

### **III. POLICY CHANGE AND IMPLICATION**

This resolution continues the County policy of disposing of surplus property by competitive bidding, if the property is not suitable for infill housing or other governmental use.

### **IV. ECONOMIC IMPACT**

The sale of surplus property to private ownership will place that property back on the tax rolls (these seven are valued at approximately \$130,000), and generate additional ad valorem revenue in subsequent years.

### **V. COMMENTS AND QUESTIONS**

GSA maintains an inventory of hundreds of excess and surplus properties, which do not generate any ad valorem tax revenue. Nearly all surplus properties are vacant land and are unsuitable for development in their current status: such as a lot with easements or other encumbrances, a lot that is too small or irregularly shaped for development, a lot that would require a variance to develop, or a lot not zoned for suitable development.

The County could facilitate making many of these surplus properties suitable for development:

- by rezoning the property to permit some development,
- by granting a variance (such as to set-back or density) or
- by removing an encumbrance (such as a County right-of-way).

Currently, GSA attempts to sell many of these surplus properties to adjacent property owners. Previous resolutions to sell surplus property have required a minimum price of the assessed value. Since many such properties are located in low-income areas, a minimum price may render some surplus properties unaffordable to the adjacent property owners. The County could deed many of these small and irregularly shaped lots to adjacent property owners at no cost.

On occasion, a property-owner association is not yet incorporated when a developer finishes a project, leaving many parcels to fall to the County by tax deed. Such unbuildable parcels include lakes, landscaped perimeters, entrances, and alleys. The property-owner association may in fact currently maintain the surplus property for the benefit of the property-owners, but without paying ad valorem taxes on the land. These surplus properties also could be deeded to the property-owner association at no cost.